

PTO/SB/97 (08-00)

Approved for use through 10/31/2002. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control Number.

Re: U.S. Patent Application No. 09/890,403 filed July 31, 2001
 Title: Formulation
 Inventor: Rodham et al.
 Examiner: To be assigned - Group Art Unit: To be assigned
 Attorney Docket No.: 109846-279

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the
 United States Patent and Trademark Office to:

703-305-3230

on November 8, 2001
 Date


 Signature

Tiffany A. Mendez

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Document

Response to Notification of Missing Requirements
 Executed Declaration
 Copy of Notification of Missing Requirements
 Transmittal Letter
 Petition for Extension of Time and
 Associate Power of Attorney

No.
 Pgs.

1
 2
 1
 1
 1
 1

**Total Number of Pages attached (excluding this
 Certificate of Transmission)**

7

BURDEN HOUR STATEMENT: This form is estimated to take 0.05 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **Rodham et al.**

International Application No. **PCT/GB99/04345**

International Filing Date: **22 December 1999**

US Application No. **09/890,403**

US Filing Date: **July 31, 2001**

For: **FORMULATION**

Attorney Docket No: 109846.279

PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. § 1.136


Applicants respectfully request that the period for responding to the Notification of Missing Requirements under 35 U.S.C. § 371 dated August 22, 2001, be extended one month from October 22, 2001 to November 22, 2001.

The Commissioner is authorized to deduct the one month extension of time fee of \$110 from Deposit Account No. 08-0219. The Commissioner is also authorized to charge any other necessary fees to maintain the pendency of the present application or to credit any overpayments to Deposit Account No. 08-0219.

11/30/2001 SHINASS1 00000004 080219 09890403

01 FC:115 110.00 CH

Respectfully submitted,



Tiffany A. Mendez
Registration No. P-50,160

Date: November 8, 2001

HALE and DORR LLP
300 Park Avenue
New York, NY 10022
Phone: (212) 937-7200
Fax: (212) 937-7300

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **Rodham et al.**

International Application No. **PCT/GB99/04345**

International Filing Date: **22 December 1999**

US Application No. **09/890,403**

US Filing Date: **July 31, 2001**

For: **FORMULATION**

Attorney Docket No: 109846.279

Assistant Commissioner of Patents
Washington, DC 20231

**Response to Notification of Missing Requirements under
35 U.S.C. § 371 in the United States Designated/Elected Office**

In response to the Notification of Missing Requirements under 35 U.S.C. § 371 in the United States Designated/Elected Office dated August 22, 2001 (a copy of which is attached hereto), Applicants submit herewith a combined Declaration and Power of Attorney executed by each of the inventors.

The Commissioner is authorized to charge the fee of \$130.00 to Deposit Account No. 08-0219. The Commissioner is also authorized to charge any other necessary fees to maintain the pendency of the present application or to credit any overpayments to Deposit Account No. 08-0219.

11/30/2001 SHINASS1 00000004 080219 09890403
02 FC:105 130.00 CH

Respectfully submitted,



Tiffany A. Mendez
Registration No. P-50,160

Date: November 8, 2001
HALE and DORR LLP
300 Park Avenue
New York, New York 10022
Phone: (212) 937-7200

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **Rodham et al**

Application No. **09/890,403**

Group Art Unit: **Not yet assigned**

Filed: **July 31, 2001**

Examiner: **Not yet assigned**

For: **FORMULATION**

Docket No: **SYN-121 (109846-279)**

Assistant Commissioner of Patents
Washington, DC 20231

Associate Power of Attorney

Please recognize the following person as an Associate Attorney in the above application:

Tiffany Mendez, Esq.
Registration No. P-50,160
Hale and Dorr LLP
300 Park Avenue
New York, NY 10022

Respectfully submitted,


Edward D. Grief
Registration No. 38,898

Date: November 8, 2001

Hale and Dorr LLP
1455 Pennsylvania Avenue, NW
Washington, DC 20004
Phone: 202-942-8400

NEWYORK 36078v1



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

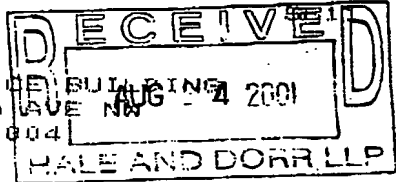
U.S. APPLICATION NO. 403

FIRST NAMED APPLICANT

ATTY. DOCKET NO. 103046-278

09/890403

EDWARD D GRIEFF
HALE AND DORR
THE WILLARD OFFICE BUILDING
1455 PENNSYLVANIA AVE NW
WASHINGTON DC 20004



INTERNATIONAL APPLICATION NO. 04345

I.A. FILING DATE

PRIORITY DATE

12/22/99

02/01/99

08/22/01

DATE MAILED:

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

- The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):
 - ☒ U.S. Basic National Fee.
 - ☒ Copy of the international application.
 - ☐ Oath or Declaration of inventors(s).
 - ☐ Copy of Article 19 amendments.
 - ☒ Priority Document.
 - ☐ The International Preliminary Examination Report in English and its Annexes, if any.
 - ☐ Translation of Annexes to the International Preliminary Examination Report into English.
 - ☐ Indication of Small Entity Status.
 - ☐ Translation of the international application into English.
 - ☐ Translation of Article 19 amendments into English.
 - ☐ Other.
- ☒ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.
 - ☐ U.S. Basic National Fee.
 - ☐ Copy of the international application.
- The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:
 - ☐ a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 - ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
 - ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
 - ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 - ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
 - ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).
- Additional claim fees of \$_____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.
- ☐ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

- If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
- ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

HALE AND DORR LLP Wash, DC

A copy of this notice MUST be returned with this response.

Enclosed: ☐ PCT/DO/EO/917
☐ PTO-875

☐ Notice of Defective Translation
☐ PCT/DO/EO/920

Lamont Hunter, Paralegal

Telephone: 703.305-3886

Base Date:

Call Up Date: 9/16/01

Due Date: 9/22/01 Meslan

Final Date: 1/23/02 TO M. J.

Ed. Dkd By: [Signature]

FORM PCT/DO/EO/905 (March 2001)

DOCKETED BY SECRETARY

Docket No.
PPD 50383/UST

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter, which is claimed and for which a patent is sought on the invention entitled:

FORMULATION

the specification of which

 is attached hereto
 X was filed on 31 July 2001 as United States or
PCT International Application Number PCT/GB99/04345 and was amended on (if
applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)			Priority Claimed	
Number	Country	Filing Date	Yes	No
09/890,403	United States of America	22 December 1999	X	

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below.

Application Number	Filing Date

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT International Application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application.

Application Number	Filing Date	Status

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

DECLARATION FOR PATENT APPLICATION

Page 3 of 3

Scott M Alt r, Reg No 32,879; Hollie L Baker, Reg No 31,321; Barbara A Barakat, Reg No 32,190; Steven D Barrett, Reg No 40,903; Michael J Bevilacqua, Reg No 31,091; Sally Bryne, Reg No 40,545; David L Cavanaugh, Reg No 36,476; David J Cerveney, Reg No 44,600; Nancy Chiu *Phd*, Reg No 43,545; Michael A Diener, Reg No 37,122; Peter M Dichiaro, Reg No 38,005; Gregory S Discher, Reg No 42,488; Irah H Donner, Reg No 35,120; Richard A G Idenberg, Reg No 38,895; Edward D Grieff, Reg No 38,898; Joseph F Haag, Reg No 42,612; Wendy A Haller, Reg No 35,177; Wayne M Kennard, Reg No 30,271; Wayne A Keown *Phd*, Reg No 33,923; Ann-Louise Kerner *Phd*, Reg No 33,523; Anthony Kahng, Reg No 42,704; Janice M Klunder *Phd*, Reg No 41,121; James B Lampert, Reg No 24,546; Ayla A Lari, Reg No 43,739; Nels Lippert, Reg No 25,888; Maria L Maebius, Reg No 42,967; Dominic Massa, Reg No 44,905; Robert McIssac *Phd*, Reg No 46,918; Cynthia K Nicholson, Reg No 36,880; Keum J Park, Reg No 42,059; Tamara Pertmer *Phd*, Reg No P47,856; Jason A Reyes, Reg No 41,513; Gretchen A Rice *Phd*, Reg No 37,429; MaryRose Scozzafava, Reg No 36,268; Donald R Steinberg, Reg No 37,241; Victor F Souto, Reg No 33,458; Colleen Superko, Reg No 39,850; C Hall Swaim, Reg No 22,838; Leonid Thenor, Reg No 39,397; Michael J Twomey, Reg No 38,349; Rajesh Vallabh, Reg No 35,761; Gary A Walpert, Reg No 26,098; M Lisa Wilson *Phd*, Reg No 34,045; Henry N Wixon, Reg No 32,073; Luke Yeh, Reg No 43,296.

Address all telephone calls to Hale and Dorr LLP, at telephone number (202) 942-8400.

Address all correspondence to:

Hale and Dorr LLP
Counsellors At Law
The Willard Office Building
1455 Pennsylvania Avenue
Washington, DC 20004-1008

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor (given name, family name) David Kirk RODHAM

Inventor's signature David Kirk Rodham

Date 23rd October 2001

Residence United Kingdom British subject

Post Office Address Syngenta Limited, Jealott's Hill International Research Centre, Bracknell, Berkshire, RG42 6ET, United Kingdom

Full name of sole or first inventor (given name, family name) Phillip TAYLOR

Inventor's signature Phillip Taylor

Date 25th October 2001

Residence United Kingdom British subject

Post Office Address Syngenta Limited, Jealott's Hill International Research Centre, Bracknell, Berkshire, RG42 6ET, United Kingdom

*** RX REPORT ***

RECEPTION OK

TX/RX NO	7594	
CONNECTION TEL		212 937 7300
SUBADDRESS		
CONNECTION ID		
ST. TIME	11/08 16:26	
USAGE T	02'26	
PGS.	8	
RESULT	OK	